

January 9, 2004

Connecticut Siting Council
10 Franklin Square
New Britain, CT 06051
Attn: S. Derek Phelps, Executive Director

***Re: Docket 272, Application of The Connecticut Light and Power
Company and The United Illuminating Company (“Companies”)***

Dear Mr. Phelps,

After the pre-hearing conference yesterday, the Companies met to compare notes as to our understanding of the schedule that had been tentatively set at the conference, based on the notice that you distributed at the meeting, and the modifications to that schedule that were discussed at the conference. The results of our discussion confirmed our initial impression that the modified schedule tentatively adopted by Chairman Katz is a practical one. While we had some uncertainty about the extent of some of the modifications to the written handout that were discussed at the conference, there seemed to be logical answers to the questions that came up.

Recognizing that the Council staff must be going through a similar process in formulating a scheduling order that reflects the discussion at the conference, it occurred to the Companies that it might be of some use to you if we put the results of this discussion in writing for the Council’s consideration.

At the scheduling conference, Chairman Katz explained that the hearings will be segmented into three sets, each devoted to a separate topic. In the discussion that followed, one of the parties emphasized the need for a common understanding of the subsidiary subjects that would be included within each of these general topics. The Companies agree.

The following table sets out the dates and activities listed in the notice that was distributed at the hearing, as the Companies understand them to have been supplemented and modified by the discussion at the conference. It also includes our view of the subsidiary subject matters that would be included in each of the general topics that each set of hearings is to address. Since this table refers to the Table of Contents for Volume 1 of the Application and my letter to you of December 31, 2003 concerning the “underground technology” consultant, I am also enclosing a copy of each of these documents for convenience of reference.

DATE	ACTIVITY	COMMENT
03/09/04	Companies and all parties and intervenors intending to present a "Need" case to file witness lists, exhibit lists, and pre-filed testimony concerning "Need."	<p>The written notice contemplated that all testimony would be filed on March 16, 2004. After discussion, Chairman Katz tentatively¹ ordered that the hearings would be segmented to cover three general topics, and that the pre-filed testimony on each topic would be due two weeks in advance of the hearings on that topic. The first set of hearings will begin on March 23, and will be devoted to "Need." Accordingly, the Companies and any other parties or any intervenors intending to submit evidence relating to Need shall pre-file it on or before March 9.</p> <p>While the discussion at the meeting referred only to pre-filed testimony, it seemed logical to us that the filing requirement for witness lists and exhibit lists would be handled in the same way.</p> <p>The Companies understand the general topic of "Need" to include any and all of the matters addressed in Sections F (Project Background and Need) and G (System Alternatives) of Volume 1 of the Application. Thus, for instance, the "Need" topic would include energy alternatives (such as distributed generation) and demand side alternatives (such as conservation and load management programs). In addition, the Companies would expect to submit testimony on the overall project cost, which could be relevant to the discussion of system alternatives.</p>

¹ Subject to further comment by the Towns after consultation with their expert.

Connecticut Siting Council
 Attn: S. Derek Phelps, Executive Director
 January 9, 2004
 Page 3

DATE	ACTIVITY	COMMENTS
03/16/04	Deadline for parties and intervenors to file pre-hearing interrogatories.	This date was set in the written notice, and there was no discussion of changing it; accordingly, the Companies understand that it remains in place. However, if the Companies' Supplemental Filing concerning the potential East Shore alternative is not completed by this date, the Companies would expect that the Council would, if asked, allow interrogatories relating to additional filings on that subject.
03/23/04 03/24/04 03/25/04	Need Hearings	See comment re: scope of Need Testimony.
04/06/04	Companies and all other parties and intervenors intending to present evidence re: Segments 3 & 4 and Underground Technology -- file witness lists, exhibit lists, and pre-filed testimony on those topics.	The Companies would expect the Topic of "Segments 3 & 4" to include all of the subjects covered in the sections H-T of Volume 1 of the Application, as they relate to the project generally, and as they relate specifically to Segment 3 (Proposed New East Devon Substation to Singer Substation) and Segment 4 (Singer Substation to Norwalk Substation) but not as they relate specifically to Segments 1 and 2, or to the potential "East Shore Alternative" to those segments that is now being evaluated by the Companies. We would expect the "Underground Technology" Topic to include the subsidiary subjects identified in my letter to you of December 31, 2004 (copy attached.)
04/20/04 04/21/04 04/22/04	Hearings on Segments 3 & 4 and Underground Technology	See above comment on scope of testimony on these subjects.

Connecticut Siting Council
 Attn: S. Derek Phelps, Executive Director
 January 9, 2004
 Page 4

DATE	ACTIVITY	COMMENTS
TBD (likely early May, 2004)	Companies and other parties and intervenors to file witness and exhibit lists and pre-filed testimony re: Segments 1 & 2 and East Shore Alternative	<p>We would expect the Topic of “Segments 1 & 2” to include all of the subjects covered in sections H-T of Volume 1 of the Application, as they relate specifically to Segment 1 (Scovill Rock Switching Station to Chestnut Jct / Oxbow Junction to Beseck Switching Station / Black Pond Jct to Beseck Switching Station) and Segment 2 (Beseck Switching Station to East Wallingford Jct); or to the potential “East Shore Alternative” to those segments that is now being evaluated by the Companies.</p> <p>If the Companies determine that the “East Shore Alternative” is an “environmentally, technically and economically practical” alternative, per C.G.S. § 16-50l(1)(D), they will present testimony and evidence to provide a basis for comparison of that alternative to the proposed route and to Alternatives A and B. If, on the other hand, they determine that the East Shore Alternative is not environmentally, technically, and economically practical, the Companies will present testimony and evidence to support such conclusion(s). Other parties or intervenors intending to present testimony on the East Shore Alternative or on Segments 1 and 2 will present pre-filed testimony and evidence to support their positions.</p>

Connecticut Siting Council
Attn: S. Derek Phelps, Executive Director
January 9, 2004
Page 5

DATE	ACTIVITY	COMMENT
TBD (likely late May, 2004)	Hearings on Segments 1&2 and East Shore Alternative	See above comment on scope of testimony on these Topics.
TBD (30 days after hearings end)	Proposed Findings of Facts and Briefs to be Submitted	
TBD (likely early Fall, 2004)	Decision and Order	

As I noted at the outset, this schedule seems to us to be well thought out and practical. If the hearings are concluded in late May, there should be ample time for the parties and intervenors to make their post hearing submissions, so that the Council may conclude its deliberations and issue its Findings of Fact, Opinion, and Decision and Order in September. The Companies listened closely to Chairman Katz' exhortation that they make every effort to do their part to make this schedule achievable, and they will act accordingly.

I hope that these comments will be of some assistance to you. Thank you for considering them.

Very truly yours,

Anthony M. Fitzgerald

cc (w. enclosures): Service List